

regulations. The obligation to respond is mandatory.

§ 280.1 Purpose and applicability.

Section 5(a) of the Act (43 U.S.C. 1334(a)(1)) states that the Secretary “* * * shall prescribe such rules and regulations * * * necessary to carry out * * *” the provisions of the Act. The primary purpose of the regulations in this part is to prescribe policies, procedures, and requirements for conducting data and information-gathering activities associated with geological and geophysical (G&G) prospecting and scientific research in the OCS for minerals other than oil, gas, and sulphur. The regulations in this part do not apply to activities authorized under a mineral lease. Activities authorized under the regulations in this part do not give rise to any rights or interests in any OCS mineral discovered as a result of approved prospecting or scientific research activities.

§ 280.2 Definitions.

When used in this part, the following terms shall have the meaning given below:

Act means the OCS Lands Act, as amended (43 U.S.C. 1331 *et seq.*)

Adjacent State means with respect to any activity proposed, conducted, or approved under this part, any coastal State(s)--(1) That is used, or is scheduled to be used, as a support base for G&G prospecting or scientific research activities; or (2) in which there is a reasonable probability of significant effect on land or water uses from such activity.

Archaeological resource means any material remains of human life or activities that are at least 50 years of age and that are of archaeological interest.

Data means G&G facts and statistics or samples which have not been analyzed, processed, or interpreted.

Director means the Director of the MMS of the U.S. Department of the Interior or an official authorized to act on the Director's behalf.

Geological and geophysical (G&G) scientific research means any investigation conducted in the OCS for scientific research purposes which involves the gathering and analysis of G&G data

and information which are made available to the public for inspection and reproduction at the earliest practicable time. This does not include scientific research related to oil, gas, and sulphur.

Geological sample means a collected portion of the seabed, the subseabed, or the overlying waters acquired while conducting prospecting or scientific research activities.

Governor means the Governor of a State or the person or entity lawfully designated to exercise the powers granted to a State Governor.

Information means G&G data that has been analyzed, processed, or interpreted.

Lease means one of the following, whichever is required by the context: Any form of authorization which is issued under section 8 or maintained under section 6 of the Act and which authorizes exploration for, and development and production of, specific minerals or the area covered by that authorization.

Material remains means physical evidence of human habitation, occupation, use, or activity, including the site, location, or context in which such evidence is situated.

Minerals has the same meaning as the term is defined in section 2(q) of the Act.

National Environmental Policy Act (NEPA) means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*).

OCS minerals means any mineral found on or below the surface of the seabed but does not include oil, gas, or sulphur.

Of archaeological interest means capable of providing scientific or humanistic understanding of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques, such as controlled observation, contextual measurements, controlled collection, analysis, interpretation, and explanation.

Outer Continental Shelf (OCS) means all submerged lands lying seaward and outside of the area of lands beneath navigable waters as defined in section 2 of the Submerged Lands Act (43 U.S.C.